

1 Rene L. Valladares  
2 Federal Public Defender  
3 Nevada State Bar No. 11479  
4 \*Jeremy C. Baron  
5 Assistant Federal Public Defender  
6 District of Columbia Bar No. 1021801  
7 411 E. Bonneville Ave. Suite 250  
8 Las Vegas, Nevada 89101  
9 (702) 388-6577  
jeremy\_baron@fd.org

10 \*Attorney for Petitioner Elizabeth Carley

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Elizabeth Carley,  
Petitioner,  
v.  
Jerry Howell, et al.,  
Respondents.

Case No. 2:14-cv-02097-JCM-BNW  
**Unopposed motion for extension of  
time in which to complete  
discovery**  
**(First request)**

Elizabeth Carley respectfully moves this Court for an extension of time of forty-three (43) days, from September 2, 2021, to and including October 15, 2021, to complete discovery.

## ARGUMENT

The Court granted Ms. Carley leave to conduct discovery. ECF No. 89. The discovery deadline is September 2, 2021.

Counsel respectfully suggests additional time remains necessary to complete discovery. After the Court issued its order, counsel promptly served subpoenas on the three relevant entities (the Nevada gaming board, the Las Vegas police, and the District Attorney's office). The Nevada gaming board responded with a letter on July 15 objecting to the subpoena. Following informal discussions, the gaming board agreed to produce a relevant document on July 30. After that, the District Attorney's office provided a production on August 13. Counsel promptly reviewed that production and determined it may be missing pages. Counsel recently reached out to the District Attorney's office, and the office has agreed to review the issue. Additional informal communications with the District Attorney's office and the Nevada gaming board will likely be necessary to ensure Ms. Carley receives a complete set of relevant documents. Thus, additional time is necessary for Ms. Carley to continue pursuing informal efforts at resolving the discovery issues.

Counsel has had many professional obligations in the past two months and has many additional professional obligations in the next two months. However, because counsel's other deadlines aren't particularly relevant to this extension request, counsel isn't providing an overview of his workload here.

On September 1, 2021, counsel contacted Senior Deputy Attorney General Alisson Herr and informed her of this request for an extension of time. As a matter of professional courtesy, Ms. Herr had no objection to the request. Ms. Herr's lack of objection shouldn't be considered a waiver of any procedural defenses or statute of limitations challenges, or construed as agreeing with the accuracy of the representations in this motion.

In sum, Ms. Carley requests a forty-three (43) day extension of the deadline to complete discovery, up to and including October 15, 2021. This is counsel's first request to extend the discovery deadline. This motion isn't filed for the purposes of delay, but in the interests of justice, as well as in Ms. Carley's interest. Counsel respectfully requests the Court grant the motion.

Dated September 2, 2021.

Respectfully submitted,

Rene L. Valladares  
Federal Public Defender

/s/ *Jeremy C. Baron*  
Jeremy C. Baron  
Assistant Federal Public Defender

IT IS SO ORDERED:

United States District Judge

September 8, 2021

Dated: \_\_\_\_\_